

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-x

ROBERT CASTILLO., et al.

Plaintiff,

23-cv-10544(PKC)

ORDER

-against-

DEREK SMITH LAW GROUP, PLLC, et al.,

Defendant.

-x

CASTEL, United States District Judge

The Court has examined the Pre-Motion Letters filed by defendants in this case and specifically those relating to the proposed motions to dismiss under Rule 12(b)(6), Fed. R.Civ. P. to be filed by defendants Derek Smith Law Group PLLC, Derek T. Smith, Johnmack Cohen, Abraham Melamed1 and Alexander Cabcerias (ECF 29) and by defendant Yaakov Siegel (ECF 37). In response to these Pre-Motion Letters, plaintiffs have filed responses that do not purport to comply with the undersigned's Individual Practices at paragraph 3(A)(iv), as further explained in paragraph 3(A)(v). (ECF 34 & 38.)

Plaintiffs shall file a letter complying with paragraph 3(A)(iv) by March 22, 2024.

Plaintiffs seek to seal the deposition transcript of defendant Siegal. The transcript appears to be material to plaintiffs' action and, indeed, is an unfiled exhibit to the Complaint. Despite the confidentiality order in a prior action, it may only be sealed in this action upon a demonstration that sealing is consistent with the standards outlined in Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110, 119-120 (2d Cir. 2006). Any person who seeks to be heard on whether

the transcript ought to be sealed shall file a motion no later than April 1, 2024 demonstrating why or why not the transcript ought to be sealed under the Lugosch standard.. Any person seeking to seal the transcript or any portion thereof shall with the motion submit to Chambers a redacted (to show the proposed portion to be sealed if less than all) and an unredacted version of the transcript.

Plaintiffs shall file a letter complying with paragraph 3(A)(iv) by March 22, 2024. The motion to seal is denied without prejudice. (ECF 40.)

Dated: New York, NY
March 20, 2024



P. Kevin Castel
P. Kevin Castel
United States District Judge